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Attorneys for Defendant

**UNITED STATES DISTRICT COURT
 DISTRICT OF NEW JERSEY**

UNITED STATES OF AMERICA,
et al., ex rel. JESSICA PENELOW
 and CHRISTINE BRANCACCIO,

Plaintiffs, :

v. :

JANSSEN PRODUCTS, LP, :

Defendant.

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: Case No. 12-7758 (ZNQ)(JBD)
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**DECLARATION OF ALLISON M. BROWN IN SUPPORT OF
 DEFENDANTS' MOTION AND MEMORANDUM OF LAW IN SUPPORT
 OF MOTION FOR JUDGMENT AS A MATTER OF LAW**

I, Allison M. Brown, declare as follows:

1. I am a partner at the law firm of Skadden, Arps, Slate, Meagher & Flom LLP, counsel to Defendant Janssen Products, LP (“Janssen”), and an attorney of record in this matter.
2. I submit this declaration in support of Janssen’s Motion and Memorandum of Law in Support of Motion for Judgment as a Matter of Law.
3. I have personal knowledge to state the following facts and to affirm that the attached exhibits are true and correct copies of the documents they purport to be.
4. Attached as **Exhibit 1** is a true and correct copy of the United States’ Amicus Curiae brief in United States ex rel. Solis v. Millennium Pharms., Inc., Nos. 15-16953 et al. (9th Cir. filed Nov. 17, 2016).
5. Attached as **Exhibit 2** is a true and correct copy of Defense Exhibit No. 8518.
6. Attached as **Exhibit 3** is a true and correct copy of Defense Exhibit No. 8856.
7. Attached as **Exhibit 4** is a true and correct copy of Defense Exhibit No. 2372.
8. Attached as **Exhibit 5** is a true and correct copy of Defense Exhibit No. 8511.

9. Attached as **Exhibit 6** is a true and correct copy of Defense Exhibit No. 3005.
10. Attached as **Exhibit 7** is a true and correct copy of Defense Exhibit No. 8851.
11. Attached as **Exhibit 8** is a true and correct copy of Relators' Exhibit No. 423.
12. Attached as **Exhibit 9** is a true and correct copy of Relators' Exhibit No. 361.
13. Attached as **Exhibit 10** is a true and correct copy of an FDA publication titled *Guidance for Industry: Adverse Reactions Section of Labeling for Human Prescription Drug and Biological Products — Content and Format*, published in January of 2006.
14. Attached as **Exhibit 11** is a true and correct copy of the September 21, 2005 Lipitor Label.
15. Attached as **Exhibit 12** is a true and correct copy of Defense Exhibit No. 1007A.
16. Attached as **Exhibit 13** is a true and correct copy of Defense Exhibit No. 1045A.
17. Attached as **Exhibit 14** is a true and correct copy of Relators' Exhibit No. 1356.

18. Attached as **Exhibit 15** is a true and correct copy of Relators' Exhibit No. 1354.

19. Attached as **Exhibit 16** is a true and correct copy of Relators' Exhibit No. 1352.

20. Attached as **Exhibit 17** is a true and correct copy of a letter from Sally K. Richardson to State Medicaid Director(s), sent on December 5, 1994.

21. Attached as **Exhibit 18** is a true and correct copy of an article titled *Medicaid Policies for HIV-Related Prescription Drugs*, published in 1994 and authored by Robert J. Buchanan & Scott R. Smith.

22. Attached as **Exhibit 19** is a true and correct copy of the Memorandum from Michael Granston titled, *Factors for Evaluating Dismissal Pursuant to 31 U.S.C. 3730(c)(2)(A)*, published on January 10, 2018.

23. Attached as **Exhibit 20** is a true and correct copy of the Memorandum for the Attorney General from William P. Barr titled *Constitutionality of the Qui Tam Provisions of the False Claims Act*, published on July 18, 1989.

I hereby declare under penalty of perjury that the foregoing is true and correct.

Dated: August 12, 2024

/s/ Allison M. Brown

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